Supreme Court, U.S.
FILED
OCT 11 1989
JOSEPH F. SPANIOL, JR.
CLERK

No. 89-279

In the Supreme Court of the United States

OCTOBER TERM, 1989

PAULINE W. KITTS, as Personal Representative of the Estate of Willard F. Kitts, Deceased,
Petitioner,

vs.

GENERAL MOTORS CORPORATION,
Respondent.

SUPPLEMENTAL BRIEF IN SUPPORT OF KITTS' PETITION FOR WRIT OF CERTIORARI

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This matter is before the Court on a Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit filed by Pauline Kitts August 17th, 1989. As described by Petitioner, see Petition at 5 n. 3, the issues presented in Kitts' Petition are substantially identical to the issues in *Patricia M. Wood, et al. v. General Motors Corporation*, No. 89-46. On October 2, 1989 this Court invited the Solicitor General to file a brief in the *Wood* case, expressing the views of the United States. A copy of the Clerk's letter articulating this Court's Order is attached as Exhibit A.

Petitioner submits that the Solicitor General should also be invited to file a brief in the *Kitts* case. A review

of both *Kitts* and *Wood* would permit the Solicitor General and this Court to have before them a broader range of regulatory action regarding passive restraint systems in automobiles and therefore a more complete factual basis for evaluating the impact of the lower courts' holdings preempting state common law remedies.

DATED October 11, 1989.

Respectfully submitted,

JOSEPH GOLDBERG
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EXHIBIT A

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, D. C. 20543

October 2, 1989

Mr. Arthur H. Bryant
1625 Massachusetts Ave., N.W.
Suite 100
Washington, DC 20036

Re: Patricia M. Wood, et al.,
v. General Motors Corporation
No. 89-46

Dear Mr. Bryant:

The Court today entered the following order in the above entitled case:

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

Very truly yours,

/s/ Joseph F. Spaniol, Jr.
Joseph F. Spaniol, Jr., Clerk